JACK SCHWARTZ & ASSOC.

0個62004

Jack Schwartz & Associates

1350 Broadway, Suite 1510

New York, New York

10018-7702

TELEFAX TRANSMITTAL

October 26, 2004

To: Publications

Fax #: (703) 872-9306

From: Jack Schwartz

Fax #: (212) 971-0417

Re:

Request to Consider Previously Filed Information Disclosure

Statement (IDS) Publications

Serial No.: 10/647,647

CONFIDENTIALITY STATEMENT

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Attorney Docket # 2002P14512US01

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:

Toshio Sakuma et al.

Serial No.:

10/647,647

Filed:

August 25, 2003

Title: An EKG Wiring System

REQUEST TO CONSIDER PREVIOUSLY FILED INFORMATION DISCLOSURE STATEMENT (IDS) PUBLICATIONS

Mail Stop Publications Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that the references cited in the Information Disclosure Statement filed on October 6, 2004 be considered prior to issuance of the above-identified applications.

Applicant has received a Notice of Allowance dated October 20, 2004 which did not indicate that the references cited in the above-identified previously filed Information Disclosure Statement were examined.

As the Information Disclosure Statement was filed prior to issuance no fee is believed due. However if a fee is due please charge this fee to Deposit Account No. 50-2828.

Respectfully submitted,

Jesse Bucholtz

Reg. No. 55,027

Dated: October 26, 2004

2002P14512US01

In re Application of: Clifford Mark Kelly et al. Serial No.: 10/647/647

For: An EKG Wiring System Filed: August 25, 2003

Enclosed Herewith:
1. Information Disclosure Statement 3. Cited References (2) 2. PTO Form 1449

Return receipt postcard 4. Certificate of Mailing

October 6, 2004

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clifford Mark Kelly et al. :

Examiner: N/A

Serial No.: 10/647,647

Group Art: 2858

Filed: August 25, 2003

For: An EKG Wiring System

INFORMATION DISCLOSURE STATEMENT AND PETITION FOR CONSIDERATION UNDER 37 CFR § 1.97

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO 1449. Copies of the listed Foreign language documents are also enclosed. An English language translation of FR 2 831 046 is enclosed. An English language translation of the abstract of WO 02/005711 A1 is enclosed. This PCT publication corresponds to US Published Patent Application Publication No. US 2003/0191401 A1 also cited in this Information Disclosure Statement.

This information is being submitted subsequent to filing and before the mailing of a first office action. Accordingly, pursuant to 37 CFR § 1.97(d), the undersigned submits that no fee is presently due.

10/26/2004 16:54 FAX 12129710417

JACK SCHWARTZ & ASSOC.

Ø 005

Petition under 37 CFR § 1.97(d)

The undersigned hereby petitions that the Examiner consider the

information cited in this Statement. As this petition is filed after filing of the application

and before mailing of a first office action it is respectfully submitted that no fee is due.

However, if a fee is due please charge the fee to Patent and Trademark Office Deposit

Account No. 50-2828.

It is respectfully requested that the above information be considered by the

Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such

information has been considered.

I hereby declare that all statements made herein of my own knowledge are true

and that all statements made on information and belief are believed to be true; and further

that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

18 of the United States Code and that such willful false statements may jeopardize the

validity of the application or any patent issued thereon.

Respectfully submitted,

By:

k Schwartz

Reg. No. 34,721

1350 Broadway, Suite 1510

New York, NY 10018

(212) 971-0416

Dated: October 6, 2004

Patent Application No. 10/647,647

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Mail Stop Amendment, Commissioners for Patent, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 6, 2004

Date

<u>Janus Via Coninate</u> Tanesha Canidate (212) 971-0416 U. S. DEPARTMENT OF COMMERCE Sheet 1 of 1

PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT

Atty Docket No.:

2002P14512US01

Filing Date: August 25, 2003

Serial No.:

10/647,647

Group Art: 2858

Applicant:

Clifford Mark Kelly et al.

U.S. PATENT DOCUMENTS

*Ex. Intls.		Document No.	Date	Name	Class	Subclass	Filing Date
	AA	2003/0191401 A1	10/9/03	David Oury et al.	600	509	6/28/01
	АВ	5,678,545	10/21/1997	Robert A. Stratbucker	128	640	5/4/95
	AC						
	AD						!
	AE						

FOREIGN PATENT DOCUMENTS

*Ex. Intls		Document No.	Date	Country	Name	Class	Sub- class	Translation Yes/No
	AF	FR 2 831 046	4/25/03	France	David Oury et al.	5	04	Yes
	AG	WO 02/005711 A1	1/24/02	PCT	David Oury et al.	5	0408	Abstract
	AH					 	 -	
	Al			1		 		
	AJ					 	<u> </u>	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

AK	
AO	
АР	,

EXAMINER:	DATE CONSIDERED:
	- FALL COLUMNIA.

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.